

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

LOCAL, 8027 AFT-NEW HAMPSHIRE,  
AFL-CIO, et al.,

Plaintiffs,

V.

Case No. 1:21-cv-1077-PB

FRANK EDELBLUT, in his official capacity only as the Commissioner of the New Hampshire Department of Education, et al.,

Defendants.

**DEFENDANTS' ASSENTED-TO MOTION TO EXTEND THE PARTIES'**  
**SIMULTANEOUS OBJECTION DEADLINE TO OCTOBER 3, 2023**

The defendants, through counsel and with the plaintiffs' assent, hereby move to extend the parties' simultaneous objection deadline with respect to the parties' cross-motions for summary judgment from September 26, 2023, to **October 3, 2023**. In support of this request, the defendants state the following:

1. The parties filed cross-motions for summary judgment on August 15, 2023. By order of August 9, 2023, the parties' deadline to file their respective objections was then set for September 18, 2023. The Court subsequently granted the parties' joint motion to extend the objection deadline to September 26, 2023. *See* Endorsed Order (Sept. 9, 2023), *granting* ECF No. 91.

2. Due to competing litigation demands and professional responsibilities on the defendants' counsel during the weeks of September 11, 2023 and September 18, 2023, some of

which were not foreseen, the defendants now request an extension of the parties' objection deadline to October 3, 2023.

3. The plaintiffs, through their counsel, assent to the Court extending the parties' simultaneous objection deadline to **October 3, 2023**.

4. A Civil Form 3 reflecting this requested deadline extension is attached hereto.

5. The requested extension will not result in the continuance of any hearing, conference, or trial. *See* LR 7.2(a).

6. No memorandum accompanies this motion because the reasons for the requested relief are all stated above. *See* LR 7.1(a)(1).

WHEREFORE, the defendants respectfully request that this Honorable Court:

- A. Extend the deadline for objections to the parties' cross-motions for summary judgment to **October 3, 2023**; and
- B. Grant such other relief as the Court deems just and equitable.

Respectfully submitted,

FRANK EDELBLUT, in his official capacity  
as Commissioner of the Department of  
Education,

JOHN M. FORMELLA, in his  
official capacity only as Attorney General  
of the State of New Hampshire,

AHNI MALACHI, in her official capacity as  
Executive Director of the Commission for  
Human Rights,

CHRISTIAN KIM, in his official capacity as  
Chair of the Commission for Human Rights,

*and*

KENNETH MERRIFIELD, in his official  
capacity as Commissioner of the Department of  
Labor

By their attorney,

JOHN M. FORMELLA  
ATTORNEY GENERAL

Date: September 25, 2023

/s/ Nathan Kenison-Marvin  
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### **Certificate of Service**

I hereby certify that a copy of the foregoing was served on all counsel of recording  
using the Court's electronic-filing service.

/s/ Nathan Kenison-Marvin  
Nathan W. Kenison-Marvin